THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.4685 OF 2006

Dated: 09-03-2006

Between

Penumallu Subba Reddy

S/o. Late Sri Chinnappanna,

Occ: Cultivation, R/o. Pallipalem

Village, Kajuluru Mandal,

East Godavari District.

...PETITIONER

AND

Gram Panchayat, Pallipalem,

Kajuluru Mandal, East

Godavari District rep. by its

Panchayat Secretary and others.

...RESPONDENTS

ORDER:

Petitioner seeks a Writ of Mandamus to declare the action of the respondents in trying to demolish his residential house bearing Door.No.6-158, Pallipalem Village, Kajuluru Mandal, East Godavari District as illegal and arbitrary.

Learned counsel for the petitioner submits that the petitioner is registered owner of an extent of 40 cents of land situated in Sy.No.433/15 of Pallipalem village, Kajuluru Mandal, East

Godavari District, in which a residential building was constructed in an extent of 12 cents. He further submits that the respondents are threatening to demolish the said house of the petitioner as they have taken up the laying of C.C. road abutting to the house of the petitioner. He further submits that the petitioner's house was assessed to tax and he has been paying taxes to the Gram Panchayat.

Having regard to the facts and circumstances of the case,
the writ petition is disposed of directing the respondents not to demolish or dispossess the petitioner from any portion of the building bearing Door No.6-158 situated in Pallipalem Village, Kajuluru Mandal, East Godavari District, without following due process of law.

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V. ESWARAIAH, J

March 9, 2006

DSK